

SWAC  
Third-Party Inspections  
and  
Transfer Station Certifications  
1/22/15

# Regulation Reform

- 2/14/14 - Revised 19.000 promulgated
- 4/24/14 SWAC meeting - announced revised effective dates for:
  - third-party inspections – 1/1/15
  - Transfer Station Certifications – 2/15/15
- 6/14/14 - Sent letters to facilities
- 12/16/14 - Sent letters to facilities, emailed municipal recycling coordinators, TPI list, SWAC, SWANA, EBC, NSWMA

# Third-Party Inspections (TPI)

## Regulation Overview

- All Facilities (any size) – Transfer Stations, Landfills, Combustion Facilities
  - Note: TS that only accept < 5cy loads are exempt from waste ban (WB) inspection requirements but still must do operation and maintenance (O&M) third-party inspections
- TPI must be performed by a listed third-party inspector
  - List available on MassDEP Website at:
    - <http://www.mass.gov/eea/docs/dep/recycle/solid/swftpi.pdf>
  - Around 120 third-party inspectors listed

# Third-Party Inspections Regulation Overview

Minimum Frequency for Both O&M and WB  
(Follow Facility Permit if More Frequent)

<u>Facility Type</u>	<u>Inspection Frequency</u>
Landfill	Every 2 months (6/year)
Closed landfill	Every 2 years
Transfer Stations 50 TPD or less	Once a year (1/year)
Transfer Stations More than 50 TPD	Twice a year (2/year)
C&D waste transfer station or processing facility	Every 3 months (4/year)
Combustion Facility	Every 3 months (4/year)

# Third-Party Inspections

## Regulation Overview

Waste Ban Loads Inspected  
(Based on Permitted Tonnage or Average of  
Previous Year's Tonnage)

<u>Facility Size</u> <u>Tons Per Day</u>	<u>Loads Observed for Waste Ban</u> <u>Compliance</u>
1-99	4
100 - 299	8
300 - 499	12
500 - 999	16
1000 or more	20

# Third-Party Inspection Reports

## General

- Required forms available at:
  - <http://www.mass.gov/eea/agencies/massdep/recycle/approvals/solid-waste-applications-and-forms.html#8>
- Reports Completed by Listed Third-Party Inspector
  - O&M
  - WB
- Reports Completed by Owner/Operator
  - Corrective Action, if needed
- Certifications
  - By Third-Party Inspector to Owner
  - By Owner/Operator to MassDEP
- Reports submitted by the facility owner to:
  - MassDEP – Hard copy plus electronic WB data
  - Local BOH – Hard copy only
  - Due within 30 days of inspection

# Third-Party Inspection Reports

- Operation and Maintenance Report
  - Pre-Inspection
    - Review/listing of facility's operating permits/approvals
  - Records Review
  - Observations
    - Line by line performance standards
    - Overall evaluation
  - Recommendations

# Third-Party Inspection Reports

- Waste Ban Inspection Report
  - Review/understand facility's WB plan
    - Revised WB plan was due 10/1/14, except transfer station submission extended to 2/15/15
    - Added commercial organic material, revised action levels etc.
  - Record failed load information
    - Data sheet
  - Perform comparative analysis
    - Data sheet
- Note: All Municipal Waste Combustors (except Pittsfield) will conduct their WB inspections in accordance with their 19.300 Class II Recycling Program Approval

# Third-Party Inspection Reports

- Corrective Action Form
  - Address Third-Party Inspector observed deviations and recommendations
    - Correct prior to submission of TPI report
    - Explanation why corrective action is not needed
    - Propose how and when deviation will be corrected

# Transfer Station (TS) Certifications

## Transition Certifications

- Transition certification due 2/15/15  
(19.035(2)(f))
  - Transitioning from written approvals to certification process
- Applicable to all existing (any size) TS except C&D waste TS
- Must have existing valid permit

# TS Certification Process

## Transition Certifications

- Certification submitted to MassDEP
- No fee
- Unless MassDEP notifies applicant otherwise in writing certification process is complete
- MassDEP does not issue written confirmation
- Certification becomes facilities operating permit

# TS Certification Process Modifications

- Modifications approved by certification
  - Process like transition certification
    - Submit certification describing modification
    - Unless MassDEP notifies applicant otherwise in writing certification process is complete
    - No written MassDEP approved issued

# TS Certification Process

## Modifications

- Exception: New or expanded (see definitions) transfer stations require written MassDEP approval
  - permit application and review process at 19.032 applies
  - Written MassDEP approval issued
- Exception: Modifications to Transfer stations on landfills
  - Still must submit transition certification by 2/15/15
  - However, subsequent modifications are not subject to 19.035
  - Instead, permit application and review process is:
    - 19.033 if TS located on landfill footprint; or
    - 19.034 if TS not located on landfill footprint